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DCR'S OFF-HIGHWAY VEHICLE WORKING GROUP ISSUES ENFORCEMENT RECOMMENDATIONS

The Off-Highway Vehicle Enforcement and Education Working Group, convened last year by the Department of Conservation and Recreation (DCR), issued a number of recommendations today aimed at increasing the enforcement of rules and regulations that apply to Off-Highway Vehicles (OHVs), enhancing public safety, and improving conditions for responsible OHV users across the Commonwealth.

The working group, which DCR Commissioner Richard K. Sullivan Jr. established last summer, included representatives from a broad cross-section of state and municipal agencies, environmental groups, and OHV organizations. The roughly 34 members met five times between August and December.

The group was charged with assessing existing laws relating to OHV use and identifying opportunities and strategies to enhance their effectiveness in protecting public safety, the environment, and public and private property. Members also looked for ways to reduce unsafe and inappropriate use of OHVs and to identify ways to improve communication among all relevant groups, agencies, and users to increase safe, responsible, and legal OHV use.

"I am very pleased with the work this group has done to identify issues and problems regarding OHV use and to develop solutions and procedures to address those concerns," said Energy and Environmental Affairs Secretary Ian Bowles. "The process involved a great deal of conversation among a number of stakeholders who have often found themselves at odds on these issues, but who came together and resolved their differences for the good of the public, the riders, and the environment."

The group's recommendations include increasing fines and penalties for illegal OHV use; requiring safety training for all OHV operators 18 years old and younger; simplifying the registration process and directing registration fees toward enforcement efforts and toward the development and maintenance of OHV trails; reducing allowable OHV noise; protecting children by strengthening requirements for adult supervision of young operators and restricting sales of adult-sized OHVs; and strengthening communication among OHV riders, land

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owners, law enforcement agencies, and other stakeholders by establishing an OHV Advisory Group similar to those in other states.

“The recommendations coming from this working group go a long way toward ensuring the safety and fun of OHV use, while still protecting private and public property,” said DCR Commissioner Sullivan. “DCR is dedicated to improving and enhancing the experience of all users of our state parks, balancing their various interests and needs while protecting the rights of all and preserving our natural resources.”

OHV use has grown dramatically in the last 15 years across Massachusetts and the nation. About 29,000 OHVs are registered in the Commonwealth, although DCR estimates that approximately 90,000 Massachusetts households own some sort of OHV, which includes all-terrain vehicles and off-highway motorcycles. According to US Forest Service figures, more than one-third of OHV riders are women, and nearly 60 percent are over the age of 30.

DCR allows OHV use on about 155 miles of trails in eight state forests: Freetown-Fall River State Forest and F. Gilbert Hills, Wrentham, and Franklin State Forests in the southeastern part of the state; and Beartown State Forest (Lee, Great Barrington, Monterey); October Mountain State Forest (Lee, Lenox, Washington, Becket); Pittsfield State Forest (Pittsfield, Lanesboro, Hancock); and Tolland State Forest (Tolland, Sandisfield, Otis) in the western region.

In addition, many private landowners have developed trail systems for their own OHV use, and a number of OHV clubs and organizations have access agreements with private landowners. A few communities also allow limited riding on their public land.

Although riding clubs have partnered with DCR to help maintain OHV trails in the designated state forests, poor trail siting, design, and construction, as well as limited maintenance, have led to trail deterioration, environmental degradation, and safety concerns. The state Division of Fisheries and Wildlife also estimates that 280 miles of trails or roads on its properties have been created or affected by illegal OHV activity, and private landowners, utility companies, and local governments report similar illegal use on their properties.

"Illegal off-road vehicle activity is damaging sensitive lands, including wetlands and rare species habitats, all across the state," said E. Heidi Ricci, senior policy analyst at the Massachusetts Audubon Society and a member of the working group. "I look forward to seeing these recommendations implemented promptly to protect the nature of Massachusetts for the benefit of both people and wildlife."

In addition to MassAudubon, about 20 state agencies and organizations were represented on the working group, including DCR, the state Division of Fish & Wildlife, the Office of Law Enforcement, the state Department of Public Health, Massachusetts State Police, the Trustees of Reservations, New England Trail Riders Association, Northeast ATVers, and the Snowmobile Association of Massachusetts.

“I found this to be a once-in-a-lifetime opportunity for motorized trailbike enthusiasts to work with numerous state agencies and legislative folks, in conjunction with various leading environmental organizations, to discuss and resolve concerns relating to motorized use in state forests and parks,” said Frank Frey, a working group member who is a past president and now Massachusetts Legislative Director of the New England Trail Riders Association. “It is quite monumental for all the stakeholders involved to have put aside their differences and come together to arrive at mutual agreement. The experiences of this working group could be used as a model nationwide in similar trail use situations.”

The working group will forward its recommendations to legislators, law enforcement agencies, and other regulators, and will urge their implementation. A complete list of the recommendations is available at www.mass.gov/dcr.

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The Massachusetts Department of Conservation and Recreation (DCR), an agency of the Executive Office of Energy and Environmental Affairs, oversees 450,000 acres of parks and forests, beaches, bike trails, watersheds, and dams, in addition to 278 bridges and miles of roadways. Led by Commissioner Richard K. Sullivan Jr., the agency's mission is to protect, promote, and enhance our common wealth of natural, cultural, and recreational resources. To learn more about DCR, our facilities, and our programs, please visit www.mass.gov/dcr. Contact us at mass.parks@state.ma.us.